

REMARKS

The Examiner is thanked for the due consideration given the application. This amendment is being filed concurrently with a Request for Continued Examination.

Claims 15, 16, 19-22, 25 and 26 are pending in the application. Claims 17, 18, 23, 24, 27 and 28 have been canceled without prejudice or disclaimer by this amendment. The claims have been amended to better set forth the invention being claimed.

For the Examiner's convenience, a clean set of the amended claims is appended to this paper.

No new matter is believed to be added to the application by this amendment.

Double Patenting

Claims 15-28 have been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 6-17 of U.S. Patent 6,985,411 in view of Murase et al. (U.S. Patent 5,907,658).

Claims 15-28 have been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 18-21 of copending Application No. 11/043,048 and claims 18-34 of copending Application No. 11/043,096 in view of Murase et al.

These rejections are respectfully traversed.

The claims of U.S. Patent 6,985,411, the claims of copending Application No. 11/043,048 and the claims of copending Application No. 11/043,096 do not disclose the novel feature of claims of the present application such that:

(i) the information recording medium comprises the object information file,

(ii) the play list information defines a reproduction sequence by a unit of item,

(iii) each of the plurality of item information includes start time and the end time of the object data,

(iv) the object information includes information for indicating address of the packet of the object data corresponding to the item, and

(v) each of the object data file, the play list information file, the object information file and the disc information file is collectively recorded into different area, respectively.

Moreover, since claims of U.S. Patent 6,985,411, the claims of copending Application No. 11/043,048 and the claims of copending Application No. 11/043,096 do not suggest or teach the above novel features (i) to (v) of claims of the present application, the above novel features (i) to (v) cannot be obvious to one skilled in the art.

Therefore, the double patenting rejections should be withdrawn, which is respectfully requested.

Rejection under 35 USC §101

Claims 15-18 and 25-28 have been rejected under 35 USC §101 as not being drawn to statutory subject matter. This rejection is respectfully traversed.

The Official Action asserts that claims 15-18 recite a recording medium but does not impart functionality to a device.

However, the applicant has changed the term "information recording medium" in claims 15 and 16 into "information recording medium, which can be recorded by an information recording apparatus or which can be reproduced by an information reproducing apparatus". In addition, the applicant has canceled claims 17 to 18. Therefore, the claim rejection under 35 USC §101 with respect to claims 15 to 18 should be withdrawn.

The Official Action asserts that claims recite a computer program but does not impart functionality to a device.

However, the applicant has changed the term "computer program product" in claims 25 and 26 into "computer-readable storage medium storing thereon a computer program". In addition, the applicant has canceled claim 27.

Therefore, the claim rejection under 35 U.S.C. 101 with respect to claims 25 to 27 should be withdrawn.

The cancellation of claim 28 moots any statutory issues pertaining to this claim.

The claims of the invention are thus clearly drawn to statutory subject matter.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejection over MURASE et al.

Claims 15-28 have been rejected under 35 USC §102(b) as being anticipated by Murase et al. (U.S. Patent 5,907,658). This rejection is respectfully traversed.

The present invention pertains to the reproduction of play lists. The present invention is illustrated, by way of example, in Figures 8a-8d of the application, which are reproduced below.

FIG. 8(a)

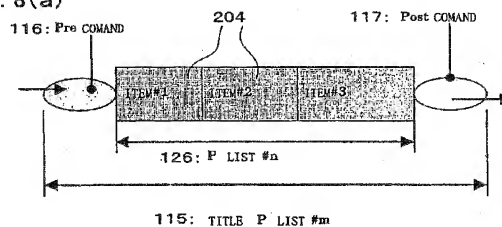


FIG. 8(b)

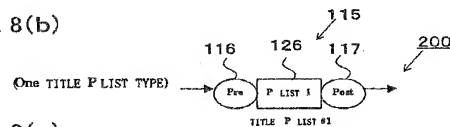


FIG. 8(c)

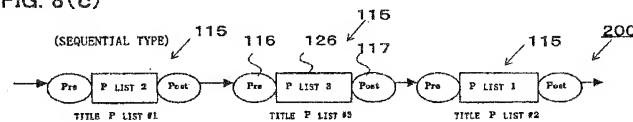
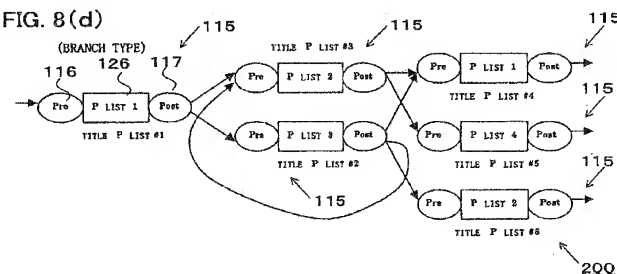


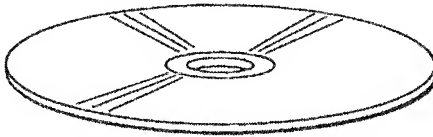
FIG. 8(d)

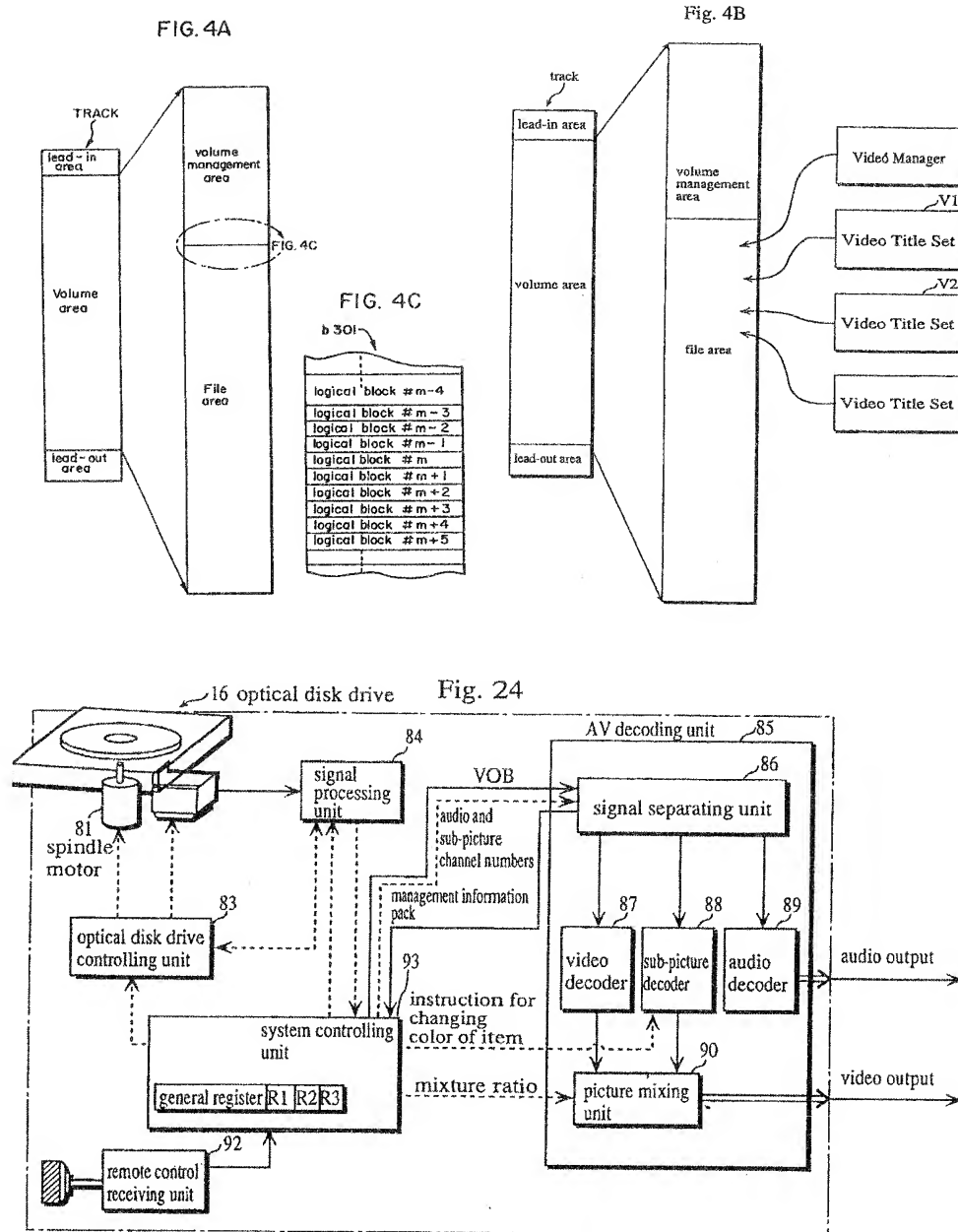


Claim 15 of the present invention typically sets forth an object information file, a play list information file and a disc information file and recites: "each of the object data file, the play list information file, the object information file and the disc information file is collectively recorded into different area, respectively."

Murase et al. pertain to a multimedia optical disk and reproduction apparatus directed at interactive gaming. The Official Action refers (among others) to Figure 2A for a recording medium, Figures 4A and 4B for logical flow and Figure 24 for recording (see below).

Fig. 2A





However, Murase et al. do does not disclose the novel feature of claims of the present application such that:

(i) the information recording medium includes the object information file,

(ii) the play list information defines a reproduction sequence by a unit of item,

(iii) each of the plurality of item information includes start time and the end time of the object data

(iv) the object information includes information for indicating address of the packet of the object data corresponding to the item, and

(v) each of the object data file, the play list information file, the object information file and the disc information file is collectively recorded into different area, respectively.

Additional distinctions of the present invention over Murase et al. were set forth in the previous response which, for brevity, are not repeated here.

Murase et al. thus do not anticipate a claimed embodiment of the present invention.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

#### **Conclusion**

The Examiner is thanked for considering the Information Disclosure Statements filed July 16, 2004 and November 24, 2004 and for making initialed PTO-1449 Forms of record in the application.

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

The rejections are believed to have been overcome, obviated or rendered moot and no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item:

- amended claims without markings